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2008 MAR 13 PH 4:32

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office, facsimile no (571) 273-8300, on the date shown below.

Dated: March 11, 2008

Signature: Wendy Balaban

Wendy Balaban

Docket No.: 65306-0092
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Timothy A. Becker et al.

Application No.: 10/738,317

Confirmation No.: 8901

Filed: December 17, 2003

Art Unit: 1618

For: COMPOSITIONS AND METHODS FOR
IMPROVED OCCLUSION OF VASCULAR
DEFECTS

Examiner: J. W. Rogers

MS 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

I. REFUND REQUEST

This is a request for a refund, with respect to the charge to Deposit Account 18-0013, shown on the statement dated November 2007, for the above-identified

- ☒ application.
☐ patent.

(check the following, if desired, and supply copy of statement)

- ☒ A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

Adjustment Date: 03/26/2008 SDIRETA1
11/27/2007 WPHILLIP 00000001 180013 10738317
01 FC:2201 105.00 CR

Application No.: 10/738,317

Docket No.: 65306-0092

II. FEES CHARGED FOR WHICH REFUND REQUESTED

| | AMOUNT OF REFUND REQUESTED |
|---|----------------------------------|
| <input type="checkbox"/> Filing fee | _____ |
| <input type="checkbox"/> Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. section 1.16(e)) | _____ |
| <i>and/or</i> | |
| <input type="checkbox"/> Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. section 1.16(e)) | _____ |
| <input type="checkbox"/> Extension of term (2) | |
| <input type="checkbox"/> first month | _____ |
| <input type="checkbox"/> second month | _____ |
| <input type="checkbox"/> third month | _____ |
| <input type="checkbox"/> fourth month | _____ |
| <input type="checkbox"/> fifth month | _____ |
| <input type="checkbox"/> Excess claims | _____ |
| \$ <input type="checkbox"/> Issue fee | _____ |
| <input type="checkbox"/> Petition fee | _____ |
| <input type="checkbox"/> Patent maintenance fee | _____ |
| <input type="checkbox"/> first maintenance fee | _____ |
| <input type="checkbox"/> second maintenance fee | _____ |
| <input type="checkbox"/> third maintenance fee | _____ |
| <input type="checkbox"/> Patent maintenance fee surcharge | _____ |
| <input checked="" type="checkbox"/> Other <u>Independent Claims in excess of 3</u> | <u>\$105.00</u> |
| TOTAL REFUND REQUESTED | <u>\$105.00</u> |

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Deposit Account 18-0013 was charged \$105.00 on November 27, 2007 for independent claims in excess of three (3) (code 2201). On October 31, 2007, Rader, Fishman and Grauer filed an Amendment along with Petition for extension of time and a Request for Continued Examination. In the amendment that was filed on 10/31/07, no new claims were added requiring the fee of \$105.00, for additional independent claims. We believe that the \$105.00 charge noted on the deposit account statement was made in error by the United States Patent and Trademark Office, and we hereby request a refund. A copy of the Deposit Account Statement showing the indicated charge is attached.

Application No.: 10/738,317

Docket No.: 65306-0092

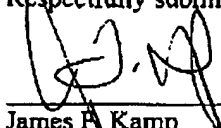
IV. MANNER OF REFUND

Please make refund by

☒ crediting Account No. 18-0013.
☐ refunding payment.

Dated: March 11, 2008

Respectfully submitted,



James A. Kamp

Registration No.: 41,882

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 10291

Attorney for Applicants



United States
Patent and
Trademark Office

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Deposit Account Statement

Requested Statement Month: November 2007
 Deposit Account Number: 180013
 Name: RADER FISHMAN & GRAUER
 Attention: ACCOUNTING DEPT.
 Street Address 1: 39533 WOODWARD AVENUE
 Street Address 2: SUITE 140
 City: BLOOMFIELD HILLS
 State: MI
 Zip: 48304
 Country: UNITED STATES

| DATE | SEQ | POSTING REF TXT | ATTORNEY DOCKET NBR | FEE CODE | AMT | BAL |
|-------|-------|--------------------------|---------------------------|-------------|------------|--------------|
| 11/27 | 1 | 11984900 | SON-3882 | 1011 | \$310.00 | \$95,978.51 |
| 11/27 | 2 | 11984900 | SON-3882 | 1111 | \$510.00 | \$95,468.51 |
| 11/27 | 4 | 11984900 | SON-3882 | 1203 | \$370.00 | \$95,098.51 |
| 11/27 | 3 | 11984900 | SON-3882 | 1311 | \$210.00 | \$94,888.51 |
| 11/27 | 5 | 11984901 | SAE-0012/DIV | 1011 | \$310.00 | \$94,578.51 |
| 11/27 | 6 | 11984901 | SAE-0012/DIV | 1111 | \$510.00 | \$94,068.51 |
| 11/27 | 7 | 11984901 | SAE-0012/DIV | 1311 | \$210.00 | \$93,858.51 |
| 11/27 | 8 | 11984901 | SAE-0012/DIV | 1203 | \$370.00 | \$93,488.51 |
| 11/27 | 15 | 11984902 | SON-3413/CON | 1011 | \$310.00 | \$93,178.51 |
| 11/27 | 17 | 11984902 | SON-3413/CON | 1311 | \$210.00 | \$92,968.51 |
| 11/27 | 16 | 11984902 | SON-3413/CON | 1111 | \$510.00 | \$92,458.51 |
| 11/27 | 18 | 11984902 | SON-3413/CON | 1201 | \$210.00 | \$92,248.51 |
| 11/27 | 28 | 10468106 | SON-2551 | 1801 | \$810.00 | \$91,438.51 |
| 11/27 | 1 | 10983910 | 65448-0279 | 2814 | \$65.00 | \$91,373.51 |
| 11/27 | 243 | 10572284 | SHO-0128 | 1501 | \$1,440.00 | \$89,933.51 |
| 11/27 | 245 | 10572284 | SHO-0128 | 8001 | \$12.00 | \$89,921.51 |
| 11/27 | 244 | 10572284 | SHO-0128 | 1504 | \$300.00 | \$89,621.51 |
| 11/27 | 10107 | 77337403 | 68578-0089 | 7001 | \$325.00 | \$89,296.51 |
| 11/27 | 13 | 10878477 | 51325-00001 | 1402 | -\$510.00 | \$89,806.51 |
| 11/27 | 10817 | 78782927 | 66215-0019 | 7004 | \$150.00 | \$89,656.51 |
| 11/27 | 1 | 10738317 | 65306-0092 | 2201 | \$105.00 | \$89,551.51* |
| 11/27 | 1 | 11346839 | 66479-0020 | 1202 | \$50.00 | \$89,501.51 |
| 11/27 | 12495 | 11363697 | 66511-0022 | 1251 | \$120.00 | \$89,381.51 |
| 11/28 | 1859 | 11945631 | 20070445 | 1011 | \$310.00 | \$89,071.51 |
| 11/28 | 1860 | 11945631 | 20070445 | 1111 | \$510.00 | \$88,561.51 |
| 11/28 | 1861 | 11945631 | 20070445 | 1311 | \$210.00 | \$88,351.51 |
| 11/28 | 1862 | 11945631 | 20070445 | 1201 | \$210.00 | \$88,141.51 |
| 11/28 | 3378 | 11945631 | 65632-0524 | 8021 | \$40.00 | \$88,101.51 |
| 11/28 | 3975 | PCT/US07/85619 VZ06101WO | | 1601 | \$300.00 | \$87,801.51 |
| 11/28 | 3976 | PCT/US07/85619 VZ08101WO | | 1602 | \$1,800.00 | \$86,001.51 |

*Refund***Application Number Information**

Application Number: 10/738317

Examiner Number: 82037 / ROGERS, JAMES**Assignments**

Filing or 371(c) Date: 12/17/2003 eDan

Group Art Unit: 1618

IFW Madras

Effective Date: 12/17/2003

Class/Subclass:
424/423.000

Application Received: 12/18/2003

Lost Case: NO

Waiting for Response
Desc.

Pat. Num./Pub. Num: /20050133046

Interference Number:

Mail Non Final

Issue Date: 00/00/0000

Unmatched Petition: NO

Date of Abandonment: 00/00/0000

L&R Code: Secrecy Code:1

Attorney Docket Number: 65306-0092

Third Level Review: NO

Secrecy Order: NO

Status: 41 /NON FINAL ACTION MAILED

Status Date: 01/17/2008

Confirmation Number: 8901

Oral Hearing: NO

Title of Invention: COMPOSITIONS AND METHODS FOR IMPROVED OCCLUSION OF VASCULAR DEFECTS

| Bar Code | PALM Location | Location Date | Charge to Loc | Charge to Name | Employee Name | Location |
|------------|---------------|---------------|-----------------------|-------------------|---------------|-------------|
| 10738317CA | 28C1 | 09/16/2006 | No Charge to Location | No Charge to Name | NGUYEN, HUY | RND/00/A 41 |

Appln
Info

Contents

Petition Info

Atty/Agent Info

Continuity/Reexam

Foreign Data

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Search

or Patent#

Search

PCT / /

Search

or PG PUBS #

Search

Attorney Docket #

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Bar Code #

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FAX TRANSMISSION**DATE:** March 11, 2008**PTO IDENTIFIER:** Application Number 10/738,317-Conf. #8901
Patent Number**Inventor:** Timothy A. Becker et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** RADER, FISHMAN & GRAUER PLLC

James F. Kamp

PHONE: (248) 594-0656**Attorney Dkt. #:** 65306-0092**PAGES (Including Cover Sheet):** 6**CONTENTS:** Request for Refund (3 pages)
Deposit Account Statement (1 page)
Fax Cover Sheet (1 page)
Certificate of Transmission (1 page)

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